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Judy [unclear]
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UNITED STATES GOVERNMENT

Memorandum

DATE: March 13, 1979

TO : The Ambassador
HRU : DCM - Mr. Chaplin
FROM : Kenneth F. Sackett

Aug [unclear]

AS 077

SUBJECT: Parole Program and PEN Release
ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Release: Grafeld, Director
☒ Release () Excise () Deny
Exemption(s):
Declassify: () In Part ☒ In Full
() Classify as () Extend as () Downgrade to
Date Declassify on Reason

✓ Since the initiation of the Hemispheric "500" Parole Program we have issued 75 certificates of acceptability to PEN detainees, but since January 1, 1979, we have had only two GOA decisions on right of option requests, both negative. The majority of the pending option requests will fall due in April 1979.

From my conversations with Coronel (ret.) Vincente San Roman, Chief of Internal Security in the Ministry of Interior, I do not feel that there is going to be a significant increase in the number of option requests granted by the GOA. The review board that decides option requests has not shown any sign of approving a larger percentage of option requests than it has in the past. According to San Roman, this review board is composed of police officials, security officials and district military commanders. In the past the district military commanders have been willing to approve option requests of PEN prisoners from outside their military districts but not from within their districts. Since there is a military representative from each military district in the country on the board, they have effectively "black balled" most option requests. It is my understanding that this "review panel" doesn't actually meet but that option requests are sent to each individual member of the board for his recommendation.

Coronel San Roman has stated to me that he also feels frustrated by the option review board. There are many PEN detainee cases that he feels should be granted the right of option but, due to the composition of the review board, his office has had little influence in right of option decisions.

Coronel San Roman indicated that his office (Internal Security) is working on a three-month plan to centralize all files concerning PEN detainees. He stated that one of the biggest problems his office has had is the lack of documentation on PEN prisoners. Many PEN prisoners were arrested by authorities (military) outside of the control of the Ministry of Interior and the arrest records have never been forwarded to his office. It appears that the completion date (April 1979) for the centralization of PEN files within the office of Internal Security is in preparation for the visit in May of the OAS Human Rights Commission.

CONS:KFSackett:cnb



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Coronel San Roman appeared confident that everything would be in order by April and showed me a new listing of all PEN detainees by prison location and present status which had recently been compiled by his office. Col. San Roman added that his office is reviewing the status of all PEN detainees in order to clarify their present status. His office will review each PEN detainee case and decide if there is sufficient evidence to prosecute or if the pending charges should be dropped due to lack of evidence. If there is sufficient evidence to prosecute the PEN detainee, Col. San Roman will recommend the transfer of that PEN detainee to the jurisdiction of the courts for processing. From my conversations with Col. San Roman, it appears that he is serious in his efforts to organize and centralize the available information concerning PEN detainees.

On March 5, 1979, I talked with Comandante Principal Julio Francisco Sosa of the Internal Security Section of the Ministry of Interior. It is his office that authorizes consular visits to various prisons in Argentina. Comandante Sosa complained of being overworked and said that he was in the process of compiling a list of PEN prisoners that the Ministry was recommending for release from prison. There were approximately 65 names on the list. According to Comandante Sosa, this list is sent weekly to a review board for release consideration. The composition of this review board is not known at this time.

It appears that the Ministry of Interior has little influence on the option review board. Col. San Roman's frustration with the board was quite apparent during my conversations with him. It may be that the Ministry of Interior has decided to bypass the option procedure completely and concentrate on lowering the PEN detainee population through releases and transfers to the judicial system. During the months of January and February of this year, the number of PEN prisoners who have had their PEN status removed greatly outnumbered the number of PEN prisoners granted the right of option to leave the country. According to news releases 97 PEN prisoners have had their PEN status removed and an additional 20 PEN prisoners have had their PEN status changed to "house arrest" while only 15 PEN prisoners have received the right of option to leave the country. The Refugee Office has been unable to verify the number of these PEN prisoners actually released from prison.

The prisons I have visited since January 1979 are full of release rumors. At Sierra Chica Prison, a PEN detainee informed me that there were rumors among the prisoners that the GOA planned to release all PEN prisoners not under process or serving sentence by April 15, 1979. I have no evidence to indicate that there will be significant PEN detainee releases in the near future, but it does appear that the Ministry of Interior is making a serious effort to reduce the PEN detainee population before the OAS Human Rights Commission arrives in Argentina in May 1979.

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Observations

There are a number of areas of my work that are unclear or misconceived by many people, especially in the United States. The following is general information I have gathered through my work in the Hemispheric "500" Parole Program.

1. Right of Option

Approximately 90% of the PEN detainees interviewed to date have previously applied for the right of option on at least one occasion. Based on information contained in the Amnesty International 1978 Annual Report on Argentina, only 80 PEN detainees received the right of option from the GOA in 1978. According to the guidelines established by the Ministry of Interior, only those PEN detainees held only under PEN decrees are eligible to request the right of option.

2. Prison Populations

La Plata Prison	Approximately 900 PEN detainees
Villa Devoto Prison	Approximately 500 PEN detainees
Sierra Chica	Approximately 500 PEN detainees
Coronda	Approximately 350 PEN detainees
TOTAL	Approximately 2150 PEN detainees

PEN detainee population in other Argentine prisons (Cordoba, Rawson, Resistencia) is unknown.

3. Interrogation and torture

During the Consular interviews conducted so far at the various prisons, approximately 90% of those interviewed report that they have been tortured. The procedures reported generally are electric shocks applied to various parts of the body, and submersion, blindfolded, in a large tank of water to the point of drowning. With the exception of two 1976 La Plata cases, PEN detainees reported they were not tortured after arriving at the prison.

The detainees report similar patterns of processing by the security forces: --arrests made either by police, military or para-civilian group, being blindfolded, and taken to an unknown location for interrogation. Interrogations normally included torture and lasted anywhere from one week to six months. The detainee usually remained blindfolded throughout this entire period of confinement. Detainees were released from clandestine detention when their captors could extract no more useful information from the detainee. The detainees were then taken to a police station for booking and then transferred to a prison facility where they are held under PEN. Surprisingly, many PEN detainees were arrested in 1974 or 1975, before the military takeover of the government.

From the detainee interviews conducted, there are clear indications that activities in student organizations, labor unions or political parties, led to their arrests. It is very difficult to determine exact reasons for arrest because most PEN detainees have no charges filed against them. It has also been difficult to conduct in-depth interviews with detainees as there is evidence that the Consular interviews are being electronically monitored by prison officials and the discussion of detailed information could put the detainee at risk.

4. Prison Conditions

The interviews conducted at La Plata, Villa Devoto, Coronda and Sierra Chica prisons indicate that detainee treatment at those prisons is rigorous but not overly harsh. All the PEN detainees interviewed appear to be in reasonably good mental and physical health. Their greatest complaint is boredom. Aside from providing the basic requirements for life, prison officials have shown little interest in PEN detainees. Prison officials give the impression that they consider their primary function to be caretakers for the PEN detainees.

There are many restrictions on PEN detainees as to reading materials, family visitations and communications with fellow detainees. PEN detainees are normally not allowed to work to prison and this adds to the boring routine of prison life.

La Plata and Sierra Chica prisons have conduct grading systems to classify their PEN detainees. The system resembles the grading system found within the enlisted ranks of an army. A detainee's "grade" or "rank" determines his privileges within the prison. There are four grades of conduct: 3 stripes, highest grade of conduct; 2 stripes, regular conduct; 1 stripe, fair conduct; no stripes, a detainee who, due to his conduct within prison or due to his activities prior to his arrest, must be watched closely. Persons in this "no stripe" category have their activities heavily restricted. Each detainee wears his "rank" on the left sleeve of his prison jacket. The conduct of each detainee is reviewed by prison officials every three months for possible reclassification. La Plata Prison Officials have stated that a PEN detainee's conduct rank was an internal prison matter and had no bearing on a detainee's right of option decision.

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